

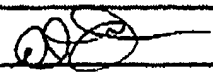
PTO/SB/21 (02-04)

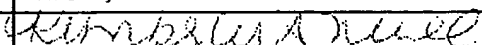
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/079,281
		Filing Date	February 20, 2002
		First Named Inventor	WELCH, Patrick J.
		Art Unit	2632
		Examiner Name	Daryl C. POPE
Total Number of Pages in This Submission	14	Attorney Docket Number	20916-0005-U1

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> Alter Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> Certificate of Fax Transmittal Copy of Preliminary Amendment and related documents as original filed July 18, 2003 (7 pages)
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	McNees Wallace & Nurick LLC Kurt L. Ehresman, Attorney Reg. No. 50,758
Signature	
Date	April 15, 2005

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Typed or printed name	Kimberly A. Newell		
Signature		Date	April 15, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: WELCH

Serial No.: 10/079,281

Filed: February 20, 2002

For: SYSTEM AND METHOD FOR REMOTE MONITORING AND MAINTENANCE
MANAGEMENT OF VERTICAL TRANSPORTATION EQUIPMENT:
:
:
:
:

Group Art Unit: 2635

Examiner: Daryl C. POPE

RECEIVED
CENTRAL FAX CENTER**APR 15 2005****AMENDMENT AND RESPONSE UNDER 37 C.F.R. 1.111**Mail Stop AMENDMENT
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Sir:

In accordance with the recent telephone conversations between counsel for Applicant and Examiner Pope, this Response is made seeking withdrawal of the improperly issued USPTO Office Action dated December 17, 2004. The Office Action is improper, as it fails to consider the Preliminary Amendment timely filed by Applicant on July 16, 2003. A copy of the July 16, 2003 Preliminary Amendment, including the stamped post card returned by the USPTO acknowledging receipt thereof, is enclosed herewith.

Please withdraw the improperly issued Office Action of December 17, 2004, enter the Preliminary Amendment filed July 16, 2003, and timely issue a new Office Action that considers the timely filed Preliminary Amendment. Applicant requests a prompt and favorable action by the Examiner. If the Examiner believes that prosecution of this Application could be expedited by a telephone conference, the Examiner is encouraged to contact the Applicant.

While no fees should be required, the Commissioner is hereby authorized to charge any additional fees and credit any overpayments to Deposit Account No. 50-1059.

Attorney Docket No. 20916-0005-1
Serial No. 10/079,281

Respectfully Submitted,
MCNEES WALLACE & NURICK LLC

A handwritten signature in black ink, appearing to read 'Kurt L. Ehresman', with a stylized flourish extending from the end.

Dated: April 11, 2005

Kurt L. Ehresman
Reg. No. 50,758
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
Tel.: (717) 237-5458
Fax: (717) 237-5300
Attorney for Applicant

Application/Patent No.: 10/079,281MWN Reference No.: 20916-0005-1

Assist. Commissioner for Patents:

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<input type="checkbox"/> Patent Appl'n. Transmittal (Utility/Provisional/Design)	<input checked="" type="checkbox"/> Transmittal Form		
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<input type="checkbox"/> IDS & PTO/SB/08	<input type="checkbox"/> Recordation Letter & Fee		
<input type="checkbox"/> References (copies)	<input type="checkbox"/> Statement Under 3.73(b)		
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Application/Patent No.: 10/079,281MWN Reference No.: 20916-0005-1

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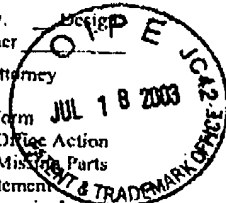
<input type="checkbox"/> New Patent Application	<input type="checkbox"/> Non-Prov.	<input type="checkbox"/> Prov.	<input type="checkbox"/> Design
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<input checked="" type="checkbox"/> Certificate of Express /First Class Mailing	<input checked="" type="checkbox"/> Preliminary Amendment		

Express Mail No.: _____

Date of Mailing: July 16, 2003Submitted by: Kurt L. Ehresman

McNees Wallace & Nurick LLC

received
7/29/03



PTO/SB/21 (05-03)


Approved for use through 04/30/2003. OMB 0651-0031

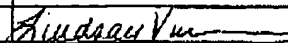
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/079,281	
	Filing Date	02/20/2002	
	First Named Inventor	WELCH	
	Art Unit	2635	
	Examiner Name	n/a	
Total Number of Pages in This Submission	7	Attorney Docket Number	20916-0005-1

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<table border="1" style="width: 100%;"> <tr> <td style="width: 20%;">Remarks</td> <td></td> </tr> </table>			Remarks	
Remarks				

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	McNees Wallace & Nurick LLC Kurt L. Ehresman
Signature	
Date	July 16, 2003

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Typed or printed name	Lindsay Vican
Signature	
Date	July 16, 2003

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APR 15 2005

In re Application of: WELCH

Serial No.: 10/079,281

Group Art Unit: 2635

Filed: February 20, 2002

Examiner: Not Yet Assignment

For: SYSTEM AND METHOD FOR REMOTE MONITORING AND MAINTENANCE
MANAGEMENT OF VERTICAL TRANSPORTATION EQUIPMENTPRELIMINARY AMENDMENTMail Stop NON-FEE AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please amend the above-identified application as follows:

Amendments to the claims are reflected in the listing of claims which begins on this page.**Remark/Arguments** begin on page 3 of this paper.**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently amended) A system for remote monitoring of vertical transportation equipment comprising: a) vertical transportation equipment; b) a Remote Terminal Unit communicably linked to said vertical transportation equipment; c) a Human-Machine Interface Server communicably linked to said Remote Terminal Unit; d) a Computerized Maintenance Management System Server communicably linked to said Human-Machine Interface; and, e) remote devices which are communicably linked to said Computerized Maintenance Management System Server.
2. (Currently amended) The system of claim 1, further comprising a Camera communicably linked to said Remote Terminal Unit.